

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

$$-V_2-$$

ANTONIO RODRIGUEZ,

Defendant.

**SUPERSEDING INFORMATION**

S3 07 Cr. 665 (DC)

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: MAY 20 2008

COUNT ONE

The United States Attorney charges:

1. On or about February 23, 2007, in the Southern District of New York and elsewhere, ANTONIO RODRIGUEZ, the defendant, unlawfully, intentionally and knowingly did distribute and possess with intent to distribute a controlled substance, to wit, mixtures and substances containing a detectable amount of cocaine base (in a form commonly known as "crack").

(Title 21, United States Code, Sections 812, 841(a)(1), and 841(b)(1)(C), Title 18, United States Code, Section 2.)

FORFEITURE ALLEGATION WITH RESPECT TO COUNT ONE

2. As a result of committing the controlled substance offense alleged in Count One of this Information, ANTONIO RODRIGUEZ, the defendant, shall forfeit to the United States, pursuant to 21 U.S.C. § 853, any and all property constituting or derived from any proceeds the said defendant obtained directly or indirectly as a result of the said violation and any and all property used or intended to be used in any manner or part to

commit and to facilitate the commission of the violation alleged in Count One of this Information, representing the amount of proceeds obtained as a result of the narcotics offense charged in Count One of this Information.

Substitute Asset Provision

a. If any of the above-described forfeitable property, as a result of any act or omission of ANTONIO RODRIGUEZ, the defendant:

(1) cannot be located upon the exercise of due diligence;

(2) has been transferred or sold to, or deposited with, a third person;

(3) has been placed beyond the jurisdiction of the Court;

(4) has been substantially diminished in value; or

(5) has been commingled with other property which cannot be subdivided without difficulty; it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of the defendant, up to the value of the above forfeitable property.

(Title 21, United States Code, Sections 841 and 853.)

  
MICHAEL J. GARCIA  
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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Superseding Information

S3 07 Cr. 665 (DC)

(Title 18, United States Code,  
Section 2, Title 21, United States Code,  
Sections 812, 841(a)(1), 841(b)(1)(C))

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Michael J. Garcia  
United States Attorney.

5/20/08 DEFT ANTONIO RODRIGUEZ PRES W/ATTY SETH FARNER.  
DT. AUSA CHRISTOPHER LAVIGNE. DEFT WAIVES INDICTMENT AND PLEAS  
GUILTY TO GUILTY TO CR 1 OF S3 07 CR 665 PSI ORDERED.  
SENT DATE SET FOR 10/28/08 AT 4.30PM. BAIL CONT'D  
USDS CHIN